**Name Example\_\_\_\_\_\_\_\_\_ Lab 1\_\_\_\_\_\_\_**

**Directions:** Read the **Landmark U.S. Supreme Court Case** given to you and then fill out the outline below**.**

A. Name of Case\_Miranda V. Arizona \_\_\_ (Year 1966 ) 2 points

1. Background to the case (Explain the key background points to the case) each small letter is worth 3 points

a. *in 1963, Ernesto Miranda was arrested for kidnapping and attacking a young women near Phoenix – He was brought to the police station and questioned*

b. *During the two hours Miranda was being questioned the police did not inform him that he had the right to refuse to answer questions or to have lawyer present during the questioning*

c. *During the questioning Miranda confessed to the crime. He stood trial and was convicted based on his confession. Miranda’s lawyers appealed saying that his 5th Amendment protection against self-incrimination was violated. The 5th amendment states that “No person … shall be compelled in any criminal case to be a witness against himself.”*

**(Legal Issue)** d. *Does the 5th amendment require the police to inform a suspect of their right to remain silent and that anything they say can be held against them? Can the police use evidence without the warning in court against a person?*

2. The court ruled… (explain the Supreme Court’s Opinion) each small letter is worth 3 points

a. *The court struck down Miranda’s conviction ruling that the police must inform a suspect in custody of their 5th amendment right to remain silent and that anything said can be held against them in a court of law. The suspect can ask for a lawyer at any time during questioning. This warning must take place before any questioning takes place.*

b. *The court ruled that if a suspect would like to remain silent or asked for a lawyer all questioning must be stopped until a lawyer is brought in or if the suspect waives their 5th amendment rights. The government can NOT use any information it gains in the violation of this rule in court.*

3. Effects of the case (Explain the effects of the ruling on the country) each small letter is worth 3 points

a. *Since the Miranda decision Police are required to carry a card containing the “Miranda Rights” and must read it to a suspect upon their arrest. Police do NOT need to read a suspect their rights if they have not been arrested. When a suspect is being questioned and asks to leave or for a lawyer to be present the police must release the person or wait for an attorney.*

b. *Some people argue the Miranda Decision limits the police too much and hurts the society’s interest at the expense of accused rights. In later Court cases the Supreme Court has upheld the Miranda Decision and law enforcement must read a person their rights or run the risk of an overturned conviction or not being allowed to use evidence in court.*

4. I agree/disagree with the decision of the court. (take a position and explain you opinion on the courts ruling) each small letter is worth 3 points

a.

b.

Total points \_\_\_\_\_\_/ 32 points